

1 WO

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Lexon Insurance Company,

No. CV-17-08189-PCT-JAT

10 Plaintiff,

ORDER

11 v.

12 James Leo Crowley,
13 Constance W Crowley,
14 Crowley Family Holding Company LLC,
15 Cara D Slaughter,
16 Bryan W Slaughter,
17 Reagan A Crowley,
18 Unknown Crowley,
19 Unidentified Trust,
20 Thompson Street Investments LLC,
21 Manatee Investments LLC,
22 Manatee Investments II LLC,
23 Manatee Investments III LLC,
24 Peak View Investors LLC,
25 Snowbowl Ranch Investment LLC,
26 Lockeford Investments LLC,
27 Alta Sierra Investments LLC,
28 Agua Caliente Investments LLC,
Agua Caliente Investments II LLC,
Agua Caliente Investments III LLC,
Emerald Bay Investments LLC,
Mountain Petroleum LLC,
CO2 Resale Services LLC,
El Dorado Investments,
Roy A Gardner,
Laurie P Gardner, and
Sunset Marble Company LLC,

Defendants.

This Court has twice ordered Plaintiff to supplement the complaint to allege sufficient facts to support complete diversity jurisdiction. Plaintiff has now alleged facts

1 which, if true, establish complete diversity. However, the majority of those facts are
2 alleged on information and belief, rather than actual knowledge.

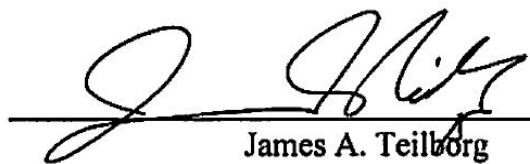
3 The Ninth Circuit Court of Appeals permits parties to plead jurisdictional
4 allegations on information and belief. *See Carolina Cas. Ins. Co. v. Team Equip., Inc.*,
5 741 F.3d 1082, 1087-88 (9th Cir. 2014). However, the Court of Appeals has suggested
6 that the Court should revisit jurisdiction once the Defendants have been served. *Id.*
7 Thus, the Court will require Plaintiff to file a jurisdictional supplement in six months that
8 states the **citizenship** (not domicile and not residence) of every party to this case.
9 Plaintiff must take whatever discovery is necessary within this timeframe to be able to
10 establish jurisdiction. The Court will not remind Plaintiff of this requirement in the
11 future. In other words, if the Court does not receive the jurisdictional supplement within
12 six months, this case will be dismissed.

13 Therefore,

14 **IT IS ORDERED** that Plaintiff shall file a jurisdictional supplement by April 16,
15 2018. This supplement may not allege citizenship based on information and belief.

16 Dated this 13th day of October, 2017.

17
18
19
20
21
22
23
24
25
26
27
28


James A. Teilborg
Senior United States District Judge